

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL HOLLIDAY,

Petitioner,

vs.

DWIGHT NEVENS, et al.,

Respondents.

2:10-cv-00534-JCM-PAL

ORDER

Petitioner submitted a habeas corpus petition pursuant to 28 U.S.C. § 2254, but has neither paid the required filing fee nor filed an appropriate motion for leave to proceed *in forma pauperis*, despite the court's order giving petitioner an additional thirty days to either submit an application or pay the \$5 filing fee.

The deadline for complying with the court's order has long since expired and petitioner has not paid the fee, filed an application to proceed *in forma pauperis* or sought additional time to do either of these things. In the court's order, petitioner was warned that failure to comply would result in dismissal of his petition. Therefore, and good cause appearing,

IT IS THEREFORE ORDERED that petition shall be filed and is **dismissed** without prejudice for failure to pay the required filing fee or to comply with the court's orders. The

1 clerk shall enter judgment accordingly.

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3 DATED September 1, 2010.

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7 UNITED STATES DISTRICT JUDGE
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